

COMMONWEALTH OF KENTUCKY
WARREN CIRCUIT COURT
DIVISION NO. 2

INDICTMENT NO. 23-CR-0004
22-F-00286
COMMONWEALTH OF KENTUCKY

ENTERED
JAN 03 2023
BRANDI DUWALL, CLERK
WARREN CIRCUIT DISTRICT COURT
PLAINTIFF

V. ORDER ON PLEA OF GUILTY

Nadeen H. Al Saadi DEFENDANT

The Defendant has appeared this day in open Court, in person and with aid of counsel,

Blake Beliles

and desires to withdraw his / her former plea of "NOT GUILTY" and enter a plea of "GUILTY" to the following charge(s):

ct 1: Fleecing or Evading Police 1ST Degree
ct 2: Operating a Motor Vehicle while Under the Influence of
Intoxicants 1ST Offense w/ 10 years

And Defendant having stated to the Court that:

1. My full name is Nadeen H. Al Saadi
I am the same person named in the Indictment / Information.
2. My judgement is not now impaired by drugs, alcohol, or medication.
3. I have reviewed a copy of the Indictment / Information and told my attorney all the facts known to me concerning my charges. I believe he / she is fully informed about my case. We have fully discussed, and I understand, my charges and any possible defenses to them. I am satisfied with the advice my attorney has give me, and I have had all the time I wish to confer with my attorney.
4. I understand that I may plead "NOT GUILTY" to any charge against me, in which event the Constitution would guarantee me the following rights.
 - (a). The right not to testify against myself;
 - (b). The right to a speedy and public trial by jury at which I would be represented by counsel and the Commonwealth would have to prove my guilt beyond a reasonable doubt;
 - (c). The right to confront and cross-examine all witnesses to testify against me;
 - (d). The right to produce and evidence, including attendance of witnesses, in my favor;

EXHIBIT 4

ALSAADI 000346

(e). The right to appeal my case to a higher court.

I understand that if I plead "GUILTY", I waive these rights.

5. I understand that if I plead "GUILTY", the Court may impose any punishment within the range provided by law and that although it may consider the Commonwealth's recommendation, the Court may reject it.
6. I understand that if the Court rejects the plea agreement, it must so inform me and allow me to either persist in my guilty plea in which case I may receive a less favorable disposition of my case than is contemplated in the plea agreement or withdraw my guilty plea and proceed to trial. I further understand that the Court may wait until it reviews a presentence report regarding the history of the case and my background before it must inform me if it will accept the plea agreement.
7. In return for my guilty plea, the Commonwealth has agreed to recommend to the Court the sentence(s) set forth below. Other than that recommendation, no one, including my attorney, has promised me any other benefit in return for my guilty plea nor has anyone forced or threatened me to plead "GUILTY". I am not pleading "GUILTY" to protect another person from prosecution.

On a plea of guilty, the Commonwealth recommends: ct 1: 2 years
pre-trial diversion for 3 years. ct: 2: \$200.00 fine,
2 days jail, complete D.U.I. classes, \$425.00 service fee, license
revocation, credit 2 days.

I understand that under the original charge(s) against me I could be sentenced for as long as 5 years.

8. Because I am guilty and make no claim of innocence, I wish to plead "GUILTY".

9. I declare my plea of "GUILTY" is freely, knowingly, intelligently, and voluntarily made, that I have been represented by competent counsel, and that my attorney has fully explained my constitutional rights to me. I understand the nature of this proceeding and all matters contained in this document.

10. I understand that if I am convicted of a methamphetamine related offense or offense related to anhydrous ammonia found in KRS Chapter 218A.250, or 514, it shall be unlawful for me to possess ephedrine, pseudoephedrine, phenylpropanolamine, their salts or optical isomers, or salts of optical isomers until five years following my conviction, discharge from incarcerations or release from probation, shock probation, parole, or other form of conditional charge, whichever is later.

11. I understand that because of my conviction here today, I may be subject to greater / enhanced penalties if found guilty and / or convicted of any future criminal offenses. I understand that if I am not a United States citizen, I may be subject to deportation pursuant to the laws and regulations governing the United States Immigration and Customs Enforcement.

12. I have been advised that certain Class D felony convictions may be eligible to be vacated and the records expunged pursuant to KRS 431.073. Not all Class D felony convictions are subject to this statutory provision.

13. I have read this document in its entirety, or this document has been read to me or has been interpreted for me. I understand the complete terms of this plea and all the obligations imposed upon me by its terms.

Signed in open Court in the presence of my attorney this 3rd day of January, 2023.

[Signature]
ATTORNEY FOR THE DEFENDANT

Nadeey Alsaadi
DEFENDANT

NOW, THEREFORE, IT IS ORDERED that the Court accepts the plea of guilty and the Defendant is guilty as charged. However, the entry of Judgement imposing a sentence is postponed and suspended pending a Presentence Investigation. The Final Sentencing hearing shall be held on _____, 20____ at _____ a.m. / p.m. for the purpose of determining whether the Defendant should receive a sentence of probation, a sentence of imprisonment, or a sentence of conditional discharge.

IT IS HEREBY ORDERED that the Division of Probation and Parole prepare a written report of its Presentence Investigation to be available on the above date and time.

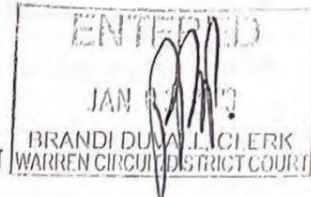
This 3 day of Jan, 2023.

[Signature]
HON. JOHN R. GRISE, JUDGE
WARREN CIRCUIT COURT, DIV. 2

CLERK SEND COPIES TO:

COMMONWEALTH'S ATTORNEY - J. S. [Signature]
DEFENDANT'S ATTORNEY - Blake Bellis
PROBATION AND PAROLE -

COMMONWEALTH OF KENTUCKY
WARREN CIRCUIT COURT
DIVISION 2
CASE NO. 23 CR 0004
22-F-00286
**ORDER GRANTING PRETRIAL DIVERSION
OF A CLASS D FELONY**
(ORDER ON PLEA OF GUILTY MUST ALSO BE FILED)



COMMONWEALTH OF KENTUCKY

PLAINTIFF

V.

Nadeen H. Al Saadi

DEFENDANT

THE COURT MAKES THE FOLLOWING FINDINGS OF FACT:

1. The defendant, appearing in court with counsel, Blake Beliles, is charged with Fleeing or Evading Police, 1st Degree, a Class D felony. He/She as applied to the Commonwealth and to the Court for Pretrial Diversion. He/She has not participated in a diversion program in the last (5) years.
2. The defendant has not had a felony conviction in the ten (10) years prior to commission of the current offense, nor has he/she been on probation or parole or released from felony incarceration within the ten (10) years prior to commission of the current offense.
3. The defendant has freely, knowingly, voluntarily, and intelligently entered (☒) a plea of guilty or () a plea pursuant to North Carolina v. Alford.
4. The defendant is eligible for probation, parole, or conditional discharge under KRS 532.045 as well as early release under KRS 189A.010(8) and KRS 189A.120(2).
5. The defendant has waived the right to a speedy trial or disposition of the charge against him/her.
6. Counsel has explained to the defendant the terms and conditions of the Pretrial Diversion recommended by the Commonwealth. The defendant has agreed to the terms and conditions and has freely, voluntarily, intelligently, and knowingly entered into the agreement with the Commonwealth.

EXHIBIT 5

ALSAADI 000352

7. The Commonwealth has ☒ secured the defendant's criminal history, () interviewed the victim and /or the victim's family, and ☒ made a written recommendation to the Court in response to the application for Pretrial Diversion.

8. The Commonwealth has recommended Pretrial Diversion.

9. The Commonwealth has recommended 2 year(s) as the appropriate sentence to be imposed in the event the defendant fails to successfully complete the terms and conditions of the diversion and the Court voids the agreement.

NOW THEREFORE, IT BE ORDERED:

1. The Court **GRANTS** the Motion for Pretrial Diversion of a Class D Felony.

2. The Court imposes the following terms and conditions of Pretrial Diversion:

A. The period of Pretrial Diversion shall be 3 years.

B. The diversion is to be () unsupervised OR ☒ supervised. A month supervision fee of \$ 25 shall be paid to Probation & Parole. (\$25 recommended; No less than \$10) *for 1 year if compliant*

() C. Restitution shall be paid to _____ through the Warren Circuit Court Clerk in the amount of \$ _____ (plus a 5% Clerk's fee) at the rate of _____. The defendant shall appear in court on _____, 20____ at _____ a.m./p.m. for a restitution hearing. The diversionary period shall not end until restitution is paid in full.

☒ D. Probation and Parole shall conduct home visits.

☒ E. The defendant shall not have access to a handgun or firearm during the pendency of the Pretrial Diversion.

☒ F. The defendant shall obey all rules and regulations imposed by Probation & Parole.

☒ G. As required by KRS 533.030(1) the defendant shall not commit another offense during the period of the Pretrial Diversion. Specifically, the defendant shall have no violation of the Penal Code or the Controlled Substance Act.

☒ H. The defendant shall remain drug and alcohol free and be subject to random testing.

() I. The defendant shall pay \$ 165 + 25 court costs, \$ 200 fine, and \$ DUI 425 DPA fee by 1-8-, 2024. The defendant shall appear in court at 2:00 a.m./p.m. on the above date if all costs have been paid in full.

(X) J. The defendant shall report any new arrest to the Court and the Commonwealth's Attorney's Office. This shall be done within 48 hours of the arrest.

(X) K. The defendant shall submit to a DNA sample collected by authorized personnel.

(X) L. The Clerk shall release the defendant's bond.

(X) M. Other: Have no new violations of the law, complete ADE classes, do not oper. M.V. w/o valid O.L.

3. If the defendant successfully completes Pretrial Diversion, the charge will be designated as Dismissed-Diverted. The defendant has been advised that upon successful completion of the diversion he/she may petition the Court for expungement of the record.
4. During the Pretrial Diversion, the Court may (a) revoke or modify any condition; (b) change the period of supervision; or (c) discharge the defendant from supervision.
5. If the Court finds the defendant fails to successfully complete Pretrial Diversion and voids the agreement, the Court may impose a sentence equal to or less than the penalty recommended by the prosecutor.

Entered: 1-3, 2024

John R. Grise
John R. Grise, Judge
Warren Circuit Court, Division 2

I understand the above conditions and agree to enter Pretrial Diversion in lieu of defending myself in further proceedings.

Nadreen Alsaadi
Defendant Date

J. Ade Biles 1/3/23
Witness (Defense Attorney) Date

Approved: [Signature] 1/3/23
Prosecuting Attorney Date

COMMONWEALTH OF KENTUCKY
WARREN CIRCUIT COURT
DIVISION 2NO. 23-CR-00034
23-CR-00034
COMMONWEALTH OF KENTUCKYIAN D. [Signature]
BERARDI DUVAL CLERK
WARREN CIRCUIT COURT

PLAINTIFF

V.

JUDGMENT AND SENTENCE ON PLEA OF GUILTY
(MISDEMEANOR)

Nadeen H Al Saadi

DEFENDANT

Date of Birth: [REDACTED]

SSN: [REDACTED]

Defendant appeared in open court on January 3, 2023, with counsel, Blake Beliles. By agreement with the attorney for the Commonwealth, Defendant withdrew his/her plea of not guilty and entered a plea of GUILTY to the charge(s) contained in the Order on Plea of Guilty.

Finding Defendant understands the nature of the charges against him/her including potential penalties, and finding Defendant understands the rights listed in paragraph four of the Order on Plea of Guilty, the Court finds the guilty plea is made voluntarily, knowingly, and intelligently, and the Court accepts Defendant's guilty plea to the charge(s) to which Defendant entered a guilty plea.

For the purpose of sentencing, the Court inquired of Defendant and counsel whether there was any legal cause why judgment should not be pronounced, and the Court afforded Defendant and counsel the opportunity to make statements in Defendant's behalf and to present any information in mitigation of punishment.

Having given due consideration to the nature and circumstances of the crimes, as well as the history, character, and condition of Defendant, and any matters presented to the Court by Defendant and counsel, the Court finds:

- ☐ Imprisonment is necessary for protection of the public because:
 - ☐ there is a likelihood that during a period of conditional discharge, Defendant will commit another offense;
 - ☐ Defendant is in need of correctional treatment that can be provided most effectively with Defendant's commitment to jail;
 - ☐ conditional discharge would unduly deprecate the seriousness of Defendant's crime;
- ☒ Defendant is eligible for conditional discharge or conditional discharge with an alternative sentencing plan as hereinafter ordered.

Insufficient cause having been shown why judgment should not be pronounced, it is adjudged by the Court that Defendant is GUILTY of the following charge(s):

Open a M.V. while under the influence of Intoxicants 1st offense

A. Defendant is sentenced to:

1. Court Costs, Restitution, Fees and Fines

Defendant is ordered to pay:

<input checked="" type="checkbox"/> Court Costs \$ <u>165.25</u>	<input type="checkbox"/> Restitution \$ _____
<input checked="" type="checkbox"/> Fees \$ <u>425.00</u>	<input checked="" type="checkbox"/> Fines \$ <u>200</u>

NO. 23-CR-00004

2. Method of Payment
☐ Court costs are waived due to Defendant having been found to be a "poor person."
☒ Payment is deferred. All amounts shall be paid in full by 1-B, 2024,
or Defendant shall appear in court on that date at 2 [] a.m. [4] p.m.
An installment schedule is established: Beginning 20
☐ Defendant is ordered to pay \$ [] weekly [] every other week
☐ monthly [] other [] until paid in full.

3. Directions for Payment of Restitution
Defendant shall pay restitution pursuant to these conditions:
Restitution shall be paid through the [] Circuit Court Clerk with a 5% service fee; OR
☐ County Attorney for the benefit of _____

4. Imprisonment
☒ Imprisonment for a maximum term of 30 days conditionally
discharged as stated in the Order of Conditional Discharge.
☐ Imprisonment for a maximum term of _____ conditionally
discharged with an alternative sentence as stated in the Order of Conditional
Discharge.
☐ Imprisonment for a maximum term of _____ to run
[] concurrently [] consecutively with _____

- B. It is ORDERED that Defendant's bond:
☒ be released. If bond was posted by Defendant, bond [] shall be [] shall not be
applied to payment of remaining fines and costs;
☐ is not released until [] further order of the Court [] payment of all fines and costs;
☐ Other: _____

- C. It is further ORDERED that:
☐ Defendant shall not be released from conditional discharge until restitution has been
paid in full and Defendant has successfully completed all other aspects of conditional
discharge.
☒ Defendant is hereby credited with time spent in custody prior to sentencing, namely
2 days towards service of the maximum term of imprisonment.

Date: Jan. 3, 2023

John R. Grise
JOHN R. GRISE, JUDGE
WARREN CIRCUIT COURT, DIVISION 2

Distribution:

Commonwealth's Attorney - J.S.
Defendant's Attorney - Bkk Bkk
Defendant
Other - P.P. BU